

those individuals who (as determined by the Secretary) are—

(1) the personnel of an international organization, if the individual is a national of any foreign country whose government engages in intelligence activities in the United States that are harmful to the national security of the United States;

(2) the personnel of a mission to an international organization, if that mission is the mission of a foreign government that engages in intelligence activities in the United States that are harmful to the national security of the United States; or

(3) the family members or dependents of an individual described in paragraphs (1) and (2); and who are not nationals or permanent resident aliens of the United States.

#### (c) Waivers

The Secretary, after consultation with the Director of Central Intelligence and the Director of the Federal Bureau of Investigation, may waive application of the restrictions required by subsection (a) of this section if the Secretary determines that the national security and foreign policy interests of the United States so require.

**(d) Repealed. Pub. L. 103-236, title I, § 139(3), Apr. 30, 1994, 108 Stat. 397**

#### (e) Definitions

For purposes of this section—

(1) the term “generally applicable restrictions” means any limitations on the radius within which unrestricted travel is permitted and obtaining travel services through the auspices of the Office of Foreign Missions for travel elsewhere, and does not include any restrictions which unconditionally prohibit the members of missions of the Soviet Union in the United States from traveling to designated areas of the United States and which are applied as a result of particular factors in relations between the United States and the Soviet Union.<sup>1</sup>

(2) the term “international organization” means an organization described in section 4309(b)(1) of this title; and

(3) the term “personnel” includes—

(A) officers, employees, and any other staff member, and

(B) any individual who is retained under contract or other arrangement to serve functions similar to those of an officer, employee, or other staff member.

(Aug. 1, 1956, ch. 841, title II, § 216, as added Dec. 22, 1987, Pub. L. 100-204, title I, § 162(a), 101 Stat. 1357; amended Apr. 30, 1994, Pub. L. 103-236, title I, § 139(3), 108 Stat. 397.)

#### CODIFICATION

Section is also set out in D.C. Code, § 5-1215.

#### AMENDMENTS

1994—Subsec. (d). Pub. L. 103-236 struck out heading and text of subsec. (d). Text read as follows: “The Secretary shall transmit to the Select Committee on Intelligence and the Committee on Foreign Relations of the

Senate, and to the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives, not later than six months after December 22, 1987, and not later than every six months thereafter, a report on the actions taken by the Secretary in carrying out this section during the previous six months.”

#### EFFECTIVE DATE

Section 162(b) of Pub. L. 100-204 provided that: “Subsection (a) of the section enacted by this section [this section] shall take effect 90 days after the date of enactment of this Act [Dec. 22, 1987].”

#### AUTHORITY OF SECRETARY OF STATE

Except as otherwise provided, Secretary of State to have and exercise any authority vested by law in any official or office of Department of State and references to such officials or offices deemed to refer to Secretary of State or Department of State, as appropriate, see section 2651a of this title and section 161(d) of Pub. L. 103-236, set out as a note under section 2651a of this title.

### CHAPTER 53A—DISPOSITION OF PERSONAL PROPERTY ABROAD

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#### § 4341. Definitions

For purposes of this chapter, the following terms have the following meanings:

(1) The term “employee” means an individual who is under the jurisdiction of a chief of mission to a foreign country (as provided under section 3927 of this title) and who is—

(A) an employee as defined by section 2105 of title 5;

(B) an officer or employee of the United States Postal Service or of the Postal Rate Commission;

(C) a member of a uniformed service who is not under the command of an area military commander; or

(D) an expert or consultant as authorized pursuant to section 3109 of title 5 with the United States or any agency, department, or establishment thereof; but is not a national or permanent resident of the foreign country in which employed.

(2) The term “contractor” means—

(A) an individual employed by personal services contract pursuant to section 2669(c) of this title, section 2396(a)(3) of this title, or pursuant to other similar authority, including, in the case of an organization performing services under such authority, an individual involved in the performance of such services; and

(B) such other individuals or firms providing goods or services by contract as are designated by regulations issued pursuant to section 4343 of this title;

but does not include a contractor with or under the supervision of an area military commander.

<sup>1</sup> So in original. The period probably should be a semicolon.